

## **Fresno Unified Board Policy (BP) 3515.4 Business and Noninstructional Operations**

### **Recovery for Property Loss Or Damage**

The Governing Board desires to create a safe and secure learning environment and to minimize acts of vandalism and damage to school property. When district property is damaged due to the willful misconduct of a student or other person, the district shall seek reimbursement of damages, within the limitations specified in law, from the parent/guardian of minor child or from any other responsible individual.

*(cf. 0450 - Comprehensive Safety Plan)*  
*(cf. 3515 - Campus Security)*  
*(cf. 4156.3/4256.3/4356.3 - Employee Property Reimbursement)*  
*(cf. 4158/4258/4358 - Employee Security)*  
*(cf. 5131 - Conduct)*  
*(cf. 5131.5 - Vandalism and Graffiti)*  
*(cf. 5136 - Gangs)*  
*(cf. 5144.1 - Suspension and Expulsion/Due Process)*

The district may collect debt owed by a student or former student as a result of vandalism or to cover the replacement cost of district books, supplies, or property loaned to a student that the student willfully fails to return or that is willfully cut, defaced, or otherwise injured. However, this policy shall not apply to a student who is a current or former homeless or foster child or youth. (Education Code 48904, 49014)

*(cf. 5125.2 - Withholding Grades, Diploma or Transcripts)*  
*(cf. 6173 - Education for Homeless Children)*  
*(cf. 6173.1 - Education for Foster Youth)*

If the Superintendent or designee or law enforcement officials are unable to fix responsibility for the theft or vandalism, the Superintendent or designee is authorized to offer a reward in any amount they deems appropriate, not exceeding \$1,500, for information leading to the identification and apprehension of the guilty party. A reward in excess of \$1,500 must be authorized in advance by the Board.

The Superintendent or designee shall disburse the reward when the guilt of the person responsible for the act has been established by a criminal conviction or other appropriate judicial procedure. If more than one person provides information, the reward shall be divided among them as appropriate.

*(cf. 4156.3 - Reimbursement, Uniforms and Allowances)*  
*(cf. 4158/4258 - Employee Security)*  
*(cf. 5125.2 - Withholding Grades, Diploma or Transcripts)*  
*(cf. 5131.5 - Vandalism, Theft, and Graffiti)*  
*(cf. 5136 - Gangs)*

*Fresno Unified School District prohibits discrimination, harassment, intimidation, and bullying based on actual or perceived race, color, ethnicity, national origin, immigration status, ancestry, age, creed, religion, political affiliation, gender, gender identity, gender expression, genetic information, mental or physical disability, sex, sexual orientation, marital status, pregnancy or*

*parental status, medical information, military veteran status, or association with a person or a group with one or more of these actual or perceived characteristics or any other basis protected by law or regulation, in its educational program(s) or employment.*

Legal Reference:

EDUCATION CODE

19910 Malicious cutting, tearing, defacing, breaking or injuring

19911 Willful detention of property

44810 Willful interference with classroom conduct

48904 Liability of parent or guardian for willful misconduct; withholding of grades, diplomas, and transcripts

49014 Public School Fair Debt Collection Act

CIVIL CODE

1714.1 Liability of parent or guardian for act of willful misconduct by a minor

GOVERNMENT CODE

53069.5 Reward for information concerning person causing death, injury or property damage; liability for reward

53069.6 Actions to recover damages

54951 Local agency, definition

PENAL CODE

484 Theft

594 Vandalism

594.1 Aerosol paint and etching cream

640.5 Graffiti; facilities or vehicles of government entity

640.6 Graffiti

Policy FRESNO UNIFIED SCHOOL DISTRICT

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*Policy Section: 3000 Business and Noninstructional Operations*